

## Regional Policy Positions: South Asian Governments on Sexuality and Structural Change

Regions Refocus, an initiative housed at the Dag Hammarskjöld Foundation, has compiled below the proposals of South Asian governments, articulated in “**The Open Working Group (OWG) on Sustainable Development Goals (SDGs)**,” “**the regional review and General Assembly Special Session on the Programme of Action of the International Conference on Population and Development (ICPD)**,” “**the Asia Pacific Regional Consultations organized by the UN Economic and Social Commission for Asia and the Pacific (ESCAP)**,” and the **Asian and Pacific Conference on Gender Equality and Women’s Empowerment: Beijing+20 Review (November 2014)**.” The agreed language listed in the right column comes from the outcome document of the OWG (July 2014), the Report of the Sixth Asian and Pacific Population Conference (2013), and the outcome document from the UN Conference on Sustainable Development or “Rio+20” (2012).

Try the “Traffic Light” exercise: Mark the positions and agreed language below with a green, yellow, or red light according to how progressive the proposal:

- + for progressive recommendations
- for recommendations that could be amended for greater clarity or specificity
- x for recommendations that are regressive i.e. favor corporate influence or disregard human rights and environmental agreements

Below is our assessment, as a contribution to stimulate debate.

Issue	Proposals (and Proponents)	Agreed Language
<b>Sexual and Reproductive Health and Rights (SRHR)</b>	<ul style="list-style-type: none"> <li><span style="color: green;">+</span> Ensure access to sexual reproductive health rights for all (<u>India</u>)</li> <li><span style="color: orange;">-</span> Eliminate preventable child and maternal deaths, particularly through access to sexual and reproductive health services (<u>Bhutan, Vietnam, Thailand</u>)</li> <li><span style="color: green;">+</span> Ensure the right to sexual and reproductive health as a basic human right; including quality health information, education, and services, with a particular focus on women and adolescents (<u>Sri Lanka</u>)</li> <li><span style="color: red;">x</span> Does not support the inclusion of reproductive rights and safe access to abortions (<u>Sri Lanka</u>)</li> <li><span style="color: red;">x</span> Strengthen public-private partnerships to improve reproductive health services (<u>Afghanistan</u>)</li> <li><span style="color: green;">+</span> Commits to ensure that sociocultural practices that are harmful and have serious health ramifications do not impede free access to and utilization of health services, including sexual and reproductive health services (<u>Nepal</u>)</li> </ul>	<ul style="list-style-type: none"> <li><span style="color: orange;">-</span> Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Programme of Action of the ICPD and the Beijing Platform for Action and the outcome documents of their review conferences (<u>OWG</u>)</li> <li><span style="color: green;">+</span> We are committed to promote... addressing women’s sexual and reproductive health, and ensuring universal access to safe, effective, affordable and acceptable modern methods of family planning... [and commit] to implement the Programme of Action of the ICPD and the key actions for its further implementation (<u>Rio+20</u>)</li> </ul>

<b>Violence against Women and Girls</b>	<ul style="list-style-type: none"> <li>– Eliminate all forms of gender-based violence (G77/China)</li> <li>+ End all forms of discrimination and violence against women all of all ages (Bhutan, Vietnam, Thailand)</li> <li>+ End all forms of gender-based violence in public and private spheres, in all life cycles, and in all human diversity (India)</li> <li>+ Take a multi-sector approach to end violence against women and a willingness to work with CSOs over this issue (India)</li> <li>✗ Ending violence against women is a domestic issue, not a development issue (Bangladesh)</li> <li>– Zero-tolerance policy on violence against women (Maldives)</li> </ul>	<ul style="list-style-type: none"> <li>+ Eliminate all forms of violence against all women and girls in public and private spheres, including trafficking and sexual and other types of exploitation (OWG)</li> <li>– Also recognizing that a number of forms of violence against women and girls throughout the life cycle derive from harmful cultural practices, in particular the effects of certain traditional or customary practices, and that all acts of violence against women and girls linked to race, ethnicity, age, sex, language or religion perpetuate the lower status accorded to women and girls (ESCAP)</li> </ul>
<b>Harmful Practices</b>	<ul style="list-style-type: none"> <li>+ Support necessary mechanisms to address harmful practices and forms of discrimination, including early and forced marriage, trafficking of women and children, as well as other harmful practices (Sri Lanka)</li> <li>✗ Delete ‘early child marriage’ and leave it to national governments to define and address; the government is committed to enforcing all laws against child marriage with a view to endure all-around development of adolescent girls (Bangladesh)</li> <li>✗ Remove ‘early child marriage’ due to ambiguity around the definition (India)</li> </ul>	<ul style="list-style-type: none"> <li>+ Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilations (OWG)</li> <li>– End abuse, exploitation, trafficking and all forms of violence and torture against children (OWG)</li> <li>– Consider, where appropriate, enacting national legislation and introducing further effective measures to combat trafficking in persons and smuggling of migrants, recognizing that these crimes may endanger the lives of migrants or subject them to harm, servitude, exploitation and sexual violence (ESCAP)</li> </ul>
<b>Sexual Orientation and Gender Identity</b>	<ul style="list-style-type: none"> <li>+ Supports all recognition, affirmation and action pertaining to sexual and reproductive health and rights throughout the outcome document, including the recognition of sexual orientation and gender identity (Nepal)</li> <li>– Reserved from commenting on any reference to sexual orientation, gender identity and sexual rights in the declaration (Bhutan)</li> <li>✗ Does not support the proposals of ESCAP paragraphs 8 and 84 on sexual orientation (Bangladesh, Pakistan) and would like to underscore the importance of respect for religion, culture and national laws (Afghanistan)</li> <li>+ Include the protection on the grounds of sexual orientation and gender identity (SOGI) (Sri Lanka, Nepal)</li> <li>✗ Do not include the protection on the grounds on sexual orientation and gender identity (SOGI) (Pakistan, Bangladesh)</li> </ul>	<ul style="list-style-type: none"> <li>+ Expressing grave concern at acts of violence and discrimination committed against individuals on the grounds of their sexual orientation and gender identity (ESCAP)</li> <li>+ Work to reduce vulnerability and eliminate discrimination based on sex, gender, age, race, caste, class, migrant status, disability, HIV status and sexual orientation and gender identity, or other status (ESCAP)</li> <li>– We reaffirm our commitment to gender equality and to protect the rights of women, men and youth to have control over and decide freely and responsibly on matters related to their sexuality, including access to sexual and reproductive health, free from coercion, discrimination and violence (Rio+20)</li> </ul>

**Comprehensive Sexuality Education**

- Include comprehensive sexuality education (India)
- ✘ Does not support the inclusion of comprehensive sexuality education, specifically, as mentioned in ESCAP paras 145, 146 (Sri Lanka)
- Expand access to sexual and reproductive health information and education and high-quality sexual and reproductive health services as well as enactment of laws as appropriate for the exercise of sexual and reproductive rights (Nepal)

- ➔ By 2030 ensure universal access to sexual and reproductive health care services, including for family planning, information and education, and the integration of reproductive health into national strategies and programmes (OWG)
- Remove legal, regulatory and social barriers to youth-friendly sexual and reproductive health services (ESCAP)
- Design, ensure sufficient resources and implement comprehensive sexuality education programmes that are consistent with evolving capacities and are age appropriate, and provide accurate information on human sexuality, gender equality, human rights, relationships, and sexual and reproductive health, while recognizing the role and responsibilities of parents (ESCAP)

**Non-Discrimination**

- ➔ End discrimination against women and increase their participation in decision-making processes; equal opportunities regardless of gender, race, or religion (Bangladesh)
- Protect and promote equality, social inclusion, absence of stigma, and accessibility within different intersecting identities – including age, gender, caste, religion, ethnicity, disability, language, sexual orientation and identities, HIV status, migrant status, etc... and incorporate into laws and policies (Sri Lanka)
- ➔ Men play an important role in ensuring women’s empowerment (Nepal)

- ➔ End all forms of discrimination against all women and girls everywhere (OWG)
- By 2030 empower and promote the social, economic and political inclusion of all irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status (OWG)
- Respect, protect and promote human rights and fundamental freedoms for all without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, disability or other status (ESCAP)
- Stressing the need for States to eliminate all forms of discrimination against the girl child and the root causes of son preference, which results in harmful and unethical practices, such as female infanticide and prenatal sex selection, thereby creating imbalances in the sex ratio at birth that have negative social and economic impacts on society (ESCAP)

## Migrant Rights

- Supports migrant rights through the inclusion of comprehensive migration policies and legal systems (Bangladesh)

- Protect labour rights and promote safe and secure working environments of all workers, including migrant workers, particularly women migrants, and those in precarious employment (OWG)
- Facilitate orderly, safe, regular and responsible migration and mobility of people, including through implementation of planned and well-managed migration policies (OWG)
- +
- Recognizing the importance of preventing and eliminating trafficking in persons and smuggling of migrants, while acknowledging the responsibility of States to promote and protect the human rights and fundamental freedoms of all migrants, especially those of women and children (ESCAP)